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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Shuhei YAMADA, et al.
Application No.:	10/673779
Filed:	September 29, 2003
For:	Polishing Composition and Polishing Method Using the Same
Examiner:	Mr. George A Goudreau
Group Art Unit:	1763

Mail Stop \_\_\_\_\_  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Docket No.: O11.2B-11335-US01

DECLARATION OF SHUHEI YAMADAPURSUANT TO 37 C.F.R. §1.132

1. My name is Shuhei Yamada. I have been employed with Fujimi Incorporated since 2000. I have a Master of Science degree in Materials Science and Engineering. My current position is that of senior engineer. I am a listed inventor or the sole inventor on pending U.S. patent applications directed to polishing compositions. My employer Fujimi Inc. has over 40 U.S. Patents directed to polishing compositions. I am very familiar with polishing of wafers. I have a level of knowledge and familiarity with these that is at least equivalent to that of one of ordinary skill in the art.

2. I provide this Declaration in support of the patentability of the invention described therein.

3. I have reviewed the Office Action mailed May 31, 2005 and February 23, 2006. I have also studied the cited references, Inoue et al US 2001/0003672 ("Inoue") and Tanaka et al JP 2001-118815 ("Tanaka"). The invention of Inoue is directed to a polishing composition that is used for polishing wafer surfaces. Contrastingly, the invention of Tanaka is directed to a polishing

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*Attorney Docket No. 011.2B-11335-US01*

composition that is used for polishing wafer edges. As shown in paragraph [0007] of Tanaka, the polishing of wafer edges is significantly different from the polishing of wafer surfaces in polishing conditions including the polishing pressure and the linear velocity of the polishing pad. The polishing composition of Tanaka is a polishing composition that is modified to be expressly suitable for such polishing of wafer edges.

4. It is well known in the art that edge polishing is very different than wafer surface polishing. The cited art is silent as to any effect that average primary particle diameter and average secondary particle diameter of colloidal silica may have on the level of haze on wafer surfaces. In fact, one of ordinary skill in the art would find nothing in the cited references, alone or in combination that would suggest anything about average primary particle diameter and average secondary particle diameter of colloidal silica affecting level of haze on a wafer surface.

5. Contrary to the assertion in the Office Actions, the mere fact that the references are both directed to CMP polishing does not provide any suggestion to combine the teachings of Tanaka which deals with polishing wafer edges with that of Inoue which deals with polishing wafer surfaces. One of ordinary skill in the art would not consider that the Tanaka teachings may have any relevance to surface polishing since edge polishing does not present hazing concerns. One of ordinary skill would recognize that the Tanaka approach may result in undesirable hazing or other problems if applied to wafer surfaces. As an inventor of the claims here, I did not consider that it would be obvious to combine specific average primary particle diameters with average secondary particle diameters of colloidal silica with the compositions as claimed.

6. My invention as described and claimed herein is not obvious to a person of ordinary skill in the art. I declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Respectfully submitted,

Date: 11 Aug, 2006

By: Shuhei Yamada  
Shuhei Yamada

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